

House Judiciary Committee Amendment #1

Amendment No. 1 to HB2532

**Buck
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2340*

House Bill No. 2532

by adding an additional clause to the preamble, immediately after the last "and" and preceding the last whereas clause, as follows:

WHEREAS, The Tennessee Council of Juvenile and Family Court Judges has endorsed the concept of a teen court; and

AND FURTHER AMEND BY deleting the word and number "nineteen (19)" in the last whereas clause of the preamble, and by substituting instead the word and number "forty-five (45)"

AND FURTHER AMEND BY deleting subitem 37-1-702(b)(2) in Section 1 of the bill and by substituting instead the following:

(2) When a juvenile court determines that a case is appropriate to be handled by the teen court, the teen shall be informed by the court of the procedures for teen court disposition and shall be given an opportunity to enter a waiver of rights to participate in a teen court disposition. The court shall inform the teen that if the teen enters a waiver, including a waiver of any right for an attorney to be present during the dispositional stage, a teen court may be empanelled to hear evidence on disposition; it shall deliberate; and shall make a recommendation to the judge for disposition of the case which may be confirmed by the juvenile court without further proceedings. If the teen elects to not enter a waiver, the judge shall proceed with the case as provided by law without referral to the teen court.

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AND FURTHER AMEND BY deleting the words "any right" after the words "waiver of" and before the words "to have" and by substituting instead the language "rights, including any right" in Section 37-1-702(c)(3) in section 1 of the bill.

AND FURTHER AMEND BY adding the words "attempt to" after the words "The judge shall" and before the words "choose teens" in the fifth sentence of Section 37-1-702(f)(1) in section 1 of the bill.

AND FURTHER AMEND BY deleting the word "shall" and by substituting instead the word "may" after the language "a teen court," and before the words "hold juvenile court" in the first sentence of Section 37-1-702(h) in section 1 of the bill.

AND FURTHER AMEND BY adding the following as new subsections to Section 37-1-702 in Section 1 of the bill:

(i) Each participant in teen court proceedings shall have the same immunity provided by law for judicial proceedings.

(j) All records used in, or otherwise related to, teen court proceedings shall be confidential to the full extent provided by current law, except as necessary to permit functioning of the teen court. Nothing contained in this section shall, in any manner, alter the confidentiality of records or proceedings under current juvenile court law.

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AND FURTHER AMEND BY deleting from subsection (b)(2) of Section 37-1-702 of the amendatory language of SECTION 1 the citation “§ 37-1-130” and substituting instead the citation “§ 37-1-131”.

AND FURTHER AMEND BY deleting from subsection (e)(1)(A) of Section 37-1-702 of the amendatory language of SECTION 1 the citation “§ 71-1-102(20)” and substituting instead the citation “§ 37-1-102(20)”.

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